

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LINWOOD EDWARD TRACY, JR.; et al.,)
Plaintiff,) 3:11-cv-0436-LRH-VPC
v.)
CEO, SUCCESSOR FOR DEUTSCHE)
NATIONAL TRUST COMPANY; et al.,)
Defendants.)

ORDER

Before the court are plaintiff Linwood Edward Tracy, Jr.’s (“Tracy”) motion to set aside the court’s order denying his motion for recusal (Doc. #183¹); motion to set aside the court’s order denying his motion to recuse the Magistrate Judge (Doc. #184); and motions to set aside the court’s order denying his motion for damages (Doc. ##185, 187).

At its core, this is a wrongful foreclosure and wrongful taxation action. Plaintiff William Gerald Filion (“Filion”) owned real property in California which was subject to state, county, and city tax assessments. The tax assessments went unpaid and eventually the property was foreclosed upon. Plaintiffs challenge the assessments and foreclosure claiming that the property belonged to a non-profit religious organization.

On June 21, 2011, plaintiffs filed a complaint against defendants alleging violations of their First and Fourth Amendment rights under 42 U.S.C. § 1983. *See* Doc. #1. During the course of

¹ Refers to the court's docket number.

1 litigation, the court issued several orders. In response, Tracy filed a series of motions for recusal
2 and for damages which were denied by the court. *See Doc. ##174, 175, 177.* Thereafter, Tracy filed
3 the present motions to set aside the court's orders. Doc. ##183, 184, 185.

4 In his motions, Tracy claims that the court's order denying his motions for recusal and for
5 damages were "illegal and prejudicial" and should be set-aside. The court has reviewed Tracy's
6 motions and finds that they are without merit. At no point in his motions does Tracy offer any
7 intelligible discussion or analysis as to why or how the court's orders were improper. Further,
8 Tracy fails to offer any legal support for his conclusions. Accordingly, the court shall deny Tracy's
9 motions to set-aside the court's orders.

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11 IT IS THEREFORE ORDERED that plaintiff's motion to set aside the court's order
12 denying his motion for recusal (Doc. #183); motion to set aside the court's order denying his
13 motion to recuse the Magistrate Judge (Doc. #184); and motions to set aside the court's order
14 denying his motion for damages (Doc. ##185, 187) are DENIED.

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IT IS SO ORDERED.

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DATED this 28th day of January, 2013.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

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